

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Robert Wade

v.

Civil No. 14-cv-521-PB

Edward Reilly, Northern New Hampshire
Correctional Facility Warden

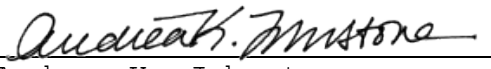
REPORT AND RECOMMENDATION

On March 12, 2015, this court granted petitioner Robert Wade's motion to stay this action so that he could exhaust his state remedies on claims in his petition for a writ of habeas corpus. The court required Wade to file periodic status reports, regarding the state proceedings initiated to exhaust his state remedies. See Mar. 12, 2015, Order (doc. no. 8).

Wade has failed to file status reports as directed, and has not responded to the June 17, 2015, Order, specifically requiring him either to file a status report by July 17, 2015, or to show cause why the petition should not be dismissed for failure to demonstrate exhaustion. Accordingly, the district judge should lift the stay and dismiss this action, without prejudice, for failure to demonstrate exhaustion, see 28 U.S.C. § 2254(b).

Any objections to this Report and Recommendation must be filed within fourteen days of receipt of this notice. See Fed.

R. Civ. P. 72(b)(2). Failure to file objections within the specified time waives the right to appeal the district court's order. See United States v. De Jesús-Viera, 655 F.3d 52, 57 (1st Cir. 2011); Sch. Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010).


Andrea K. Johnstone
United States Magistrate Judge

July 28, 2015

cc: Robert Wade, pro se